

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

MICHAEL COREY JENKINS and  
EDDIE TERRELL PARKER  
V.

PLAINTIFFS

CIVIL ACTION NO. 3:23-CV-374-DPJ-FKB

RANKIN COUNTY, MISSISSIPPI  
et al.

DEFENDANTS

ORDER

Defendants Rankin County and Sheriff Bryan Bailey (“Defendants”) moved for judgment on the pleadings [12] and added a supplement to that motion [18]. After the motion and supplement were fully briefed, Plaintiffs obtained leave to file their Amended Complaint and did so on November 21 [28]. The Amended Complaint does not expressly adopt or incorporate the original Complaint [1], which is thus superseded and of no legal effect, rendering the pending motions moot. *See Griffin v. Am. Zurich Ins. Co.*, 697 F. App’x 793, 797 (5th Cir. 2017), *as revised* (June 8, 2017) (citing *King v. Dogan*, 31 F.3d 344, 346 (5th Cir. 1994)).

The Court denies the motions for judgment on the pleadings [12, 18] without prejudice to Defendants’ being able to file an appropriate Rule 12 motion as to the Amended Complaint should they so choose. The Court also denies as moot Plaintiffs’ unresolved motion for extension of time to respond [22].

**SO ORDERED AND ADJUDGED** this the 1st day of December, 2023.

s/ Daniel P. Jordan III  
CHIEF UNITED STATES DISTRICT JUDGE